

Dear FCC,

I am an digital content developer and publisher and also a member of the Screen Actors Guild, serving on that organization's New Technology Committee.

I would like to weigh in with my reservations about the requirement of a "broadcast flag" for the purpose of protecting content and speed the adaptation of digital broadcast television. It is my fear that this type of regulation would have a limiting effect on the "open source" software development as well as the affordable production and distribution of works by artists and independent producers.

Here are four other reasons the "Broadcast Flag" regulation would be a bad idea:

1. Near-perfect copies of digital content are already available on CDs and DVDs.
2. Anyone with a pirate receiver that ignores the broadcast flag can distribute the program freely: It only takes one person making a file available on Kazaa for the file to leak permanently.
3. Depending on how the regulation is written, it could limit the public's ability to use the broadcasts in legitimate, non-infringing ways.
4. As computers and TVs continue to converge, this approach will inevitably lead to greater regulations imposed on PC companies, software developers and perhaps even operating system makers.

Thank you for considering my input.

- Rick van Valkenburg

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